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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/533,088	03/22/2000	Miral Kim-E	03284-P0001B	8149

7590 08/13/2003

Wesley W Whitmyer Jr
St Onge Steward Johnston & Reens LLC
986 Bedford Street
Stamford, CT 06905-5619

EXAMINER

AKERS, GEOFFREY R

ART UNIT PAPER NUMBER

3624

DATE MAILED: 08/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/533088

Applicant(s)

Miral

Examiner

Hos, J

Art Unit

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/22/00
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-58 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-58 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 33 6) ☐ Other:

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DETAILED ACTION

1. Claims 1-58 have been examined.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-58 are rejected under 35 USC 103(a) as unpatentable over Maggioncalda(US Pat. No: 6,012,044) in view of Horowitz(US Pat. No: 6,349,290).

4. As per claims 1-58 Maggioncalda teaches customer risk assessment for financial analysis(Abstract)(Fig 1-14b)(col 2 line 35-col 3 line 64) as well as a financial staging server and an advice server(Fig 1/110/120) and utilizing displays and communications channels(Fig 2) and including a pricing module, a factor module and a style analysis module and a portfolio optimization module(Fig 3/310/320/330/350).Maggioncalda also teaches developing a list of investments to enable a client to reach specified financial goals(Fig 4/430) as well as studying volatility and risk(Fig 5a) by product type and a user's risk tolerance scale(Fig 6) and analyzing the likelihood of achieving a goal for a user(Fig 8) as well as the risks associated with loss(Fig 10) and determining a combination of assets that maximizes the investor's utility(Fig 11/1110) and determining the optimal allocation among financial products(Fig 13/1350/1340).Horowitz

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teaches an automated system for both interactive and proactive customized and personalized advice for a customer by a financial institution(Abstract)(Figs 1-37)(col 1 line 65-col 5 line 48) as well as determining customer's intent and holding sessions(Fig 3) and the bank's intent(Fig 4) and setting forth tasks(Fig 5) and performing personalization and customization(Fig 6). Horowitz also teaches real time and historical aspects of customer's and bank's intentions(Fig 7/44) as well as an advice engine(Fig 9/88) and a presentation engine(Fig 10) and provision of fulfillment statuses(Fig 11)(Fig 12).Horowitz also teaches customer profile data(Fig 14), residence data(Fig 15), financial link data(Fig 16)(Fig 17) and communication link data(Fig 18) and a behavior database(Fig 20) and a products and services database(Fig 21) as well as the customer participating as a member of an advisory community(Figs 22-37). It would have been obvious to one skilled in the art at the time of the invention to combine Maggioncalda in view of Horowitz to teach the disclosure. The motivation to combine is to teach a customized and personalized product and service automated system that enables a financial institution to attract and retain new customers as enunciated by Horowitz(col 1 line 65-col 2 line 4).

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1-58 are further rejected under 35 USC 112(2nd) for failing to point out with sufficient clarity and distinctly claim what applicant regards is the invention over the existing and prior art.

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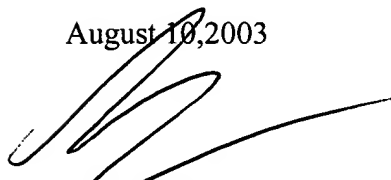
Conclusion

7. THIS ACTION IS MADE NON-FINAL.

8. Any questions concerning this communication should be addressed to the primary examiner of record, Dr. Geoffrey Akers, P.E., who can be reached between 6:30 AM and 5:00 PM Monday through Friday at 703-306-5844. If attempts to contact the primary examiner are unsuccessful, the primary examiner's superior, Mr. Vincent Millin, SPE, may be telephoned at (703)-308-1065.

The fax number for Formal or Official faxes and Draft or Informal faxes to Technology Center 3600 or this Art Unit is (703)-308-3687. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)-308-1113.

August 10, 2003



DR. GEOFFREY H. AKERS
PRIMARY EXAMINER